

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:07CV
	)	
vs.	)	<b>VERIFIED COMPLAINT</b>
	)	<b>FOR FORFEITURE</b>
\$12,600.00 IN UNITED	)	
STATES CURRENCY,	)	
	)	
Defendant.	)	

COMES NOW the Plaintiff, United States of America, and for its cause of action against the Defendant, states and alleges as follows:

1. The Court has jurisdiction of this matter pursuant to Title 28, United States Code, Sections 1345, 1355 and 1395, and pursuant to Title 21, United States Code, Section 881.
2. The Defendant is \$12,600.00 in United States Currency.
3. The Defendant property is now and will be during the pendency of this action in the judicial district of the State of Nebraska.
4. On or about April 21, 2006, the Defendant property was seized in Lincoln, Nebraska by deputies of the U.S. Marshals Service, investigators of the Nebraska State Patrol and deputies of the Lancaster Sheriff's Office; the property is currently held by the United States Marshals Service. Immediately after said seizure, administrative forfeiture proceedings were instituted by the United States Drug Enforcement Administration.

5. Robert Finley has filed a Claim for ownership, pertaining to said Defendant property, with the United States Drug Enforcement Administration.

6. Marijuana is a controlled substance pursuant to Title 21, United States Code, Section 812.

7. On April 21, 2006, Robert Finley was in possession of the Defendant property, as proceeds traceable to the exchange of a controlled substance, or alternatively, the Defendant property was used or was intended to be used to facilitate the transportation, sale, receipt, possession, concealment or distribution of a controlled substance, as more particularly described as follows:

- a. On April 21, 2006, at approximately 8:05 a.m., deputies from the U.S. Marshals Service, investigators from the Nebraska State Patrol and deputies from the Lancaster County Sheriff's Office arrested Robert Finley at 4119 F Street, Lincoln, Nebraska. The arrest of Mr. Finley was pursuant to a warrant issued for Possession of a Controlled Substance. During a security sweep of 4119 F Street, the odor of marijuana was noted and a State of Nebraska search warrant was obtained for the residence.
- b. While searching a couch located on the second floor of the residence, officers found a plastic Baggie containing 7.4 grams of marijuana and a handgun. Officers also found \$12,600.00, all in one hundred dollar bills, inside a model aircraft carrier in a locked room on the second floor of the residence.
- c. Nebraska State Patrol Trooper Downey was contacted and requested to conduct a canine sniff of the currency. Trooper Downey later conducted a

canine sniff of the currency. The dog indicated to the odor of a controlled substance emanating from the currency.

- d. Investigators met with Mr. Finley at the Lancaster County jail and advised him of his rights. Mr. Finley declined to make a statement without a lawyer present. Mr. Finley was advised items had been seized from his residence including \$12,600.00 in U.S. currency. Mr. Finley became upset and stated the money came from his trust fund.

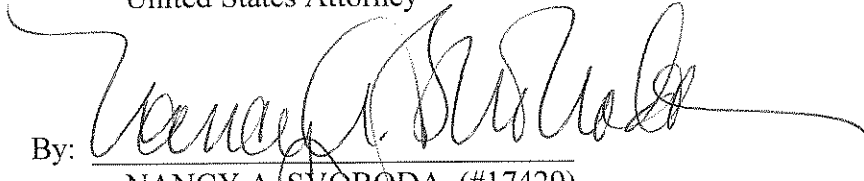
8. By reason of the foregoing, the Defendant property was used or was intended to be used to commit or facilitate the commission of violations of Title 21, United States Code, Sections 841 and 844. The Defendant property is therefore subject to forfeiture to the United States pursuant to Title 21, United States Code, Section 881(a)(6), and no other property rights should exist in it.

WHEREFORE, the Plaintiff, United States of America, prays the Defendant property be proceeded against for forfeiture in accordance with the laws and regulations of the rules of this Court; that due notice be given to all interested parties to appear and show cause why forfeiture should not be decreed; that the Defendant property be condemned, as forfeited, to the United States of America and disposed of according to law and regulation; that the costs of this action be assessed against the Defendant property; and for such other and further relief as this Court may deem just and equitable.

UNITED STATES OF AMERICA,  
Plaintiff

JOE W. STECHER  
United States Attorney

By:

  
NANCY A. SVOBODA (#17429)  
Assistant U.S. Attorney  
1620 Dodge Street, Suite 1400  
Omaha, Nebraska 68102-1506  
(402) 661-3700

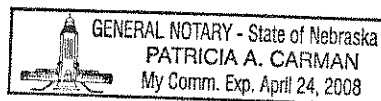
VERIFICATION

STATE OF NEBRASKA       )  
                                      ) ss.  
COUNTY OF DOUGLAS    )

Pursuant to Rule C(2), Supplemental Rules of Certain Admiralty and Maritime Claims,  
Assistant United States Attorney for the District of Nebraska, Nancy A. Svoboda, being first duly  
sworn, deposes and states that the facts set forth herein are true and correct according to the best of  
her knowledge and belief.

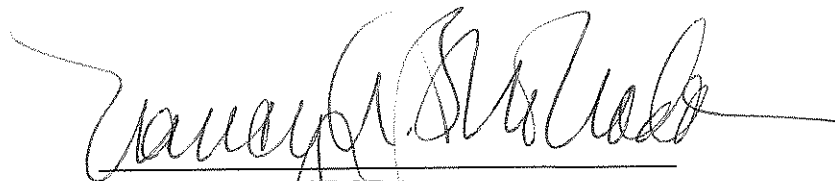
  
NANCY A. SVOBODA (#17429)  
Assistant U.S. Attorney

Subscribed and sworn to before me this 16<sup>th</sup> day of May, 2007.



  
Notary Public

Pursuant to the rules of this Court, the United States of America hereby requests the trial of the above and foregoing action be held in Omaha, Nebraska, and that it be calendared accordingly.



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NANCY A. SVOBODA  
Assistant U.S. Attorney